

## PROTEST PROCEDURES FOR REQUESTS FOR PROPOSALS

### 1. Notification

- a. Contracts awarded under the provisions of a procedure utilizing a Request for Proposals (Public Contract Code Sections 10344) shall be awarded only after a notice of the proposed award has been posted in the offices of the contracting agency for five working days.
- b. If prior to the award any bidder files a protest against the awarding of the contract, the contract shall not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter.
- c. Within five days after filing the protest, the protesting bidder shall file with the Department of General Services a full and complete written statement specifying the grounds for the protest.

### 2. Grounds for Protest

The agency failed to follow the procedures specified in the Request for Proposals, the Public Contract Code, or the California Education Code.

### 3. Procedures

- a. Disposition of Protest – Following receipt of a protest file as prescribed,
  - i. the Department of General Services shall determine whether the protest is to be resolved by written submission of material or by public hearing (Title 2, California Code of Regulations, Section 1195, et seq.)
- b. Hearing Procedures
  - (1) A hearing shall be conducted by the Director of the Department of General Services or by a designated representative pursuant to the applicable statutes and regulations.
  - (2) The Department of General Services arranges for all hearings to be recorded by a hearing reporter. Any interested party may arrange with the reporter to have a transcript prepared at his or at his or her own costs.
  - (3) All costs of the proceeding are charged to the State agency involved.